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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,465	02/02/2000	Naoki Takahashi	500.36167CX1	6268

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EXAMINER

LINZEY, DAVID

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/496,465

Applicant(s)

TAKAHASHI ET AL.

Examiner

David Linzey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09050064.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

This application has been reviewed. Original claims 13 – 16 are pending.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 13 - 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Midorikawa et al. U.S. Patent 5,655,088 in view of Popolo U.S. Patent 5,715,402.**

As per claim 13 - 16, Midorikawa discloses an electronic business transactions system including a plurality of member sites, a center site, and a network to connect the member sites and the center site to each other (Fig. 4) said method comprising;

storing information of open businesses issued by a plurality of member sites to find business partners in an open business information file in said center site (col. 3 lines 11 – 17);

receiving a request from a member site to access contents of said open business information file stored in center site (col. 5 lines 45 – 58); and

receiving an order specification from said member site at said center site and transmitting said order specification to an order destination member site based on contents of said open business information file ( Fig. 17 and col. 6 lines 11 – 16).

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As per claim 14, Midorikawa discloses an electronic business transaction system, comprising;

a center site, a plurality of member sites, and a network which connects said center site and member sites to each other (Fig. 4), wherein said center site comprises;

an open business information file which stores information of open businesses issued by said member sites to find business partners (Fig. 7 Associated Files),

means for receiving a request from a member site to access contents of said open business information file (col. 5 lines 45 – 58); and

means for receiving an order specification from said member site and transmitting said order specification to an order destination member site based on contents of said open business information file ( Fig. 17 and col. 6 lines 11 – 16).

As per claim 15, Midorikawa discloses an electronic business transactions system comprising;

storing information of open businesses issued by a plurality of member sites to find business partners in an open business information file in said center site (Fig. 7 Associated Files);

receiving a request from a member site to access contents of said open business information file stored in center site (col. 5 lines 45 – 58);

receiving an order specification from said member site at said center site; and

receiving a request from an order destination member site to access said order specification at said center site so as to respond to said order specification based on contents of said open business information file stored in said center site (col. 3 lines 27 – 35).

As per claim 16, Midorikawa discloses an electronic business transaction system, comprising;

a center site, a plurality of member sites, and a network which connects said center site and member sites to each other (Fig. 4), wherein said center site comprises;

an open business information file which stores information of open businesses issued by said member sites to find business partners (Fig. 7 Associated Files),

means for receiving a request from a member site to access contents of said open business information file (col. 5 lines 45 – 58), and

means for receiving an order specification from said member site at said center site,

means for receiving a request from an order destination member site to access said order specification at said center site so as to respond to said order specification based on contents of said open business information file stored in said center site (col. 3 lines 27 – 35).

Midorikawa does not specifically disclose a database. Popolo discloses an electronic business transactions system using a database (col.1 lines 53 – 58). It would have been obvious to one skilled in the art to modify the electronic business transactions system of Midorikawa to include the databases of Popolo to efficiently manage the data and business transactions.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rickard et al U.S. Patent 6,112,189 discloses a securities trading system (col. 3 lines 12 – 14).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Linzey whose telephone number is 703-305-4570. The examiner can normally be reached on M - F 8-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

DL  
May 2, 2002

*David Linzey*  
A.U. 3624